

RULE 1 GENERAL PROVISIONS

1.01 Purpose

These rules and procedures are adopted to promote an efficient, effective personnel system for Cook County and all Cook County employees in Bureaus and Departments in the offices under the President and/or covered by the Cook County Employment Plan. The rules set forth in detail those procedures which ensure equal treatment for employees, and define the obligations, rights and privileges, benefits and prohibitions placed upon Cook County employees under the jurisdiction of the President and/or covered by the Cook County Employment Plan.

1.02 Scope

These rules apply to all positions and employees under the jurisdiction of the Cook County Board President, except as expressly provided in the rules.

1.03 Effect of Rules

These rules repeal, supplant and supersede all previous versions of the personnel rules of Cook County and the Cook County Employee Resources Guide, last revised June 2009.

1.04 Interpretation

The Bureau Chief of Human Resources or his/her designee is solely responsible for providing official interpretations of these rules in cases of apparent internal conflicts between rules, or when questions arise about their application to specific situations, procedures or policies.

1.05 Enforcement

The Bureau Chief of Human Resources or his/her designee shall ensure that these rules are enforced and applied uniformly by all Bureaus and Departments in the Offices under the President.

1.06 Definitions

Anniversary Date: Date utilized for purposes of determining an employee's step progression within his/her current classification in accordance with the applicable salary schedule. The anniversary date is established by the original date of employment as modified by promotion, leaves of absence, demotion, reclassification and/or upgrade.

Applicant: A person who has applied to the Bureau of Human Resources for a position in County employment.

Appointment: Employment in the career service of an eligible who has been certified to the executive department head by the Bureau of Human Resources for a particular position.

BHR: Bureau of Human Resources.

Board: Employee Appeals Board.

Board of Commissioners: Board of Commissioners of Cook County.

Bureau Chief/Designee: Executive head of a Bureau or his/her designee.

Career Service: A uniform system of recruitment, selection, promotion, discipline, and compensation encompassing all positions of employment that must be filled competitively pursuant to the Human Resources Ordinance and these Rules and that are under the jurisdiction of the President of the Cook County Board of Commissioners, except those exempted hereunder.

Career Service Exempt Positions: Those positions identified as exempt from the Cook County Employment Plan.

Career Service Status: Successful completion of the probationary period in a position in the career service.

Certification: Notification by the Bureau of Human Resources to the Executive Department Head of the name of any eligible applicant/employee who is legally qualified to be appointed to a vacant position.

BCHR: Bureau Chief of Human Resources.

Classification: A job title comprising one or more positions, having duties and responsibilities requiring like qualifications of the employee, including education, experience, knowledge and proficiency.

Classification Plan: An orderly arrangement of classifications to which positions are allocated and for which there are written specifications describing the duties, responsibilities and qualifications of each classification.

Continuity of Service: Employment without a break in service or interruption, provided that any absence of authorized leaves with pay, military leave of absence, or absence of personal leave without pay for 30 calendar days or less shall not affect the continuity of service. All other leaves of absence, a personal leave without pay that is in excess of 30 calendar days, all suspensions, and layoffs of more than 30 calendar days shall be deducted in computing total continuous service. Discharges for cause, retirements, resignations and layoffs not followed by reinstatement within one year, shall interrupt continuous service and shall result in the loss of all prior service credit.

Demotion: A demotion occurs when an active classified employee is reassigned to a position with a salary range that is lower than the salary range of the former position. A demotion may occur when:

- An individual is assigned to a position that requires performing accountabilities of significantly decreased complexity or responsibility; or
- An employee is unable to perform satisfactorily in the higher-level position; or
- An employee's request for a demotion is approved; or
- As a result of a reorganization.

The County will follow the Personnel Rules, any applicable collective bargaining agreement, and the Employment Plan with respect to demotions.

Department: Any department, institution or office of Cook County, which is under the jurisdiction of the President or the Board of Commissioners.

Downgrades: A downgrade occurs when the pay grade level of a classification is assigned to a lower grade level by the Bureau of Human Resources, affecting the grade of all positions assigned to the downgraded classification. The County will follow the Personnel Rules and any applicable collective bargaining agreement with respect to downgrades.

Eligible: A person whose name is on an eligible register as the result of qualifying for certification by examination or selection process.

Emergency Appointment: The employment of an individual on an emergency basis not to exceed 90 days, with the approval of the Bureau Chief of Human Resources.

Executive Department Head: An individual who is the Chief Administrative Officer responsible for the policy and administration of a department.

Household: any family member or domestic partner who resides in an employee's dwelling.

Immediate Family: An employee's parents, guardian, spouse, biological, adopted, or foster children, a step child, a legal ward or person standing in loco parentis.

Layoff: Separation from employment because of lack of work or funds, abolishment of position, or material change in duties or organizational structure.

Notice of Job Opportunity: The official written notification of an available vacant position in the career service which shall be posted and filled consistent with the Employment Plan.

Position: A group of duties and responsibilities assigned or delegated by competent authority, requiring the full-time or part-time employment of one person.

Probationary Period: The working test period, not to exceed one year, during which a certified and appointed employee is required to demonstrate his/her fitness for service by the actual performance of the duties and responsibilities of his/her position, except as modified by a collective bargaining agreement.

Promotion: A promotion is the appointment of a current, active classified employee to a position in a higher salary range than the one to which the employee is presently assigned. A promotion is also advancement to a position that requires performing accountabilities of significantly increased complexity or responsibility. Promotions will occur as a result of a job posting and/or application. The County will follow the Personnel Rules, any applicable collective bargaining agreement, and the Employment Plan with respect to promotions.

Reclassification: A reclassification occurs when the job duties, responsibilities, and required qualifications of a position are re-evaluated by the Bureau of Human Resources and the position is assigned a new classification that may result in a higher pay grade, a lower pay grade, or the same pay grade. The County will follow the Personnel Rules, any applicable collective bargaining agreements, and the Employment Plan with respect to reclassifications.

All requests for reclassification must adhere to the applicable Cook County Employment Plan and Supplemental Policies.

Seniority Date: An employee's length of most recent continuous employment with the County, except as modified by a collective bargaining agreement.

Upgrade: An upgrade occurs when the pay grade level of a classification is assigned to a higher grade by the Bureau of Human Resources, affecting the grade of all positions assigned to the upgraded classification. The County will follow the Personnel Rules and any applicable collective bargaining agreement with respect to upgrades.

1.07 Political Activities

- a. Political discrimination in all aspects of Cook County employment, including the hiring, promotion, discipline, discharge, award of overtime , evaluation of employee performance and transfer of employees in non-exempt Cook County positions under the Office of the President shall be strictly prohibited.
- b. No official or employee shall compel, coerce or intimidate any county official or employee to make or refrain from making any political contribution or to participate or refrain from participating in political activities. Nothing in this section shall be construed to prevent any Official or Employee from voluntarily making a contribution or from receiving a voluntary contribution or from voluntary participation in political activities.
- c. Nothing herein shall affect the right of any employee to hold membership in and support a political party or candidate, to vote as he/she chooses, to express his/her opinions, to attend political meetings and to maintain political neutrality.
- d. Employees shall not use or attempt to use political influence in order to secure preferential treatment in employment decisions for himself/herself or other person.
- e. Notwithstanding the provisions herein, the judgment and consent decrees entered in Michael L. Shakman, et.al. v. The Democratic Organization of Cook County, et.al., No. 69 C 2145 empower the President to designate positions as exempt from certain hiring procedures and permit political factors to influence the hiring and retention of employees occupying those positions.
- f. Complaints alleging unlawful political discrimination as a result of the consideration of political reasons or factors in any aspect of Cook County employment, including the hiring, promotion, discharge, issuance of overtime, evaluation of employee performance or transfer of employees in non-exempt positions or employment applications seeking a non-exempt position shall be made to the Office of the Independent Inspector General. The Inspector General shall be responsible for conducting or directing the investigation of the complaint.
- g. It shall be the duty of every County employee who learns of any unlawful political discrimination in connection with any aspect of government employment with the County, or who believes that such unlawful political discrimination has occurred or is occurring to report this information to the Office of the Independent Inspector General without undue delay.
- h. County employees and officials shall not retaliate against, punish or penalize any job applicant, County employee, or County official for cooperating with or assisting the Office of the Independent Inspector General's investigation into unlawful political discrimination.

1.08 Equal Employment Opportunity

- a. Cook County Government is an Equal Employment Opportunity (“EEO”) employer. As an employer, Cook County prohibits illegal discrimination and harassment and affords equal employment opportunities to employees and applicants without regard to race, color, religion, sex, age, disability, national origin, ancestry, sexual orientation, marital status, parental status, military service or discharge status. Cook County is committed to keeping its workplace free from discrimination and harassment and to maintaining an environment in which every person is treated with dignity and respect.
- b. In accordance with applicable anti-discrimination laws and regulations, the purpose of the Cook County EEO Policy is to ensure that the Offices under the Cook County Board President provide a workplace free from discrimination and harassment and provide an effective means for the resolution of discrimination and harassment complaints by County employees and applicants for employment. Cook County encourages its employees and applicants to raise any concerns regarding the EEO Policy with the EEO Office within the Cook County Bureau of Human Resources. Retaliation against any person who makes a report concerning potential violations of the Policy, is expressly forbidden pursuant to the terms of the Policy.

1.09 Drug-Free Workplace

- a. Cook County is a drug-free workplace. The Federal Drug-Free Workplace Act of 1988 (41 U.S.C. 5702-704) is applicable to Cook County Government as a grantee of federal funds.
- b. In accordance with the Federal Drug-Free Workplace Act of 1988, the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in any Cook County Government workplace is prohibited.

1.10 Workplace Violence

- a. Cook County is committed to providing a safe and healthy workplace for its employees and the public. Violence in the workplace is prohibited and will not be tolerated.
- b. Workplace violence includes, but is not limited to, a deliberate, aggressive and/or hostile act or communication by an individual or group of individuals that is intended to humiliate, harass, threaten and/or force into or deter another individual or group of individuals from some action by inducing fear or causing physical injury to person or property.